

REMARKS

Claims 1, 5, 7, 8 and 12-24 are pending in the present application. Reconsideration of the claims is respectfully requested.

I. Application to be Considered Special

This application has received five non-final Office Actions. As per MPEP § 707.02, Applicant respectfully requests that the Supervisory Patent Examiner personally check on the pendency of this application and make every effort to terminate prosecution.

II. 35 U.S.C. § 103, Alleged Obviousness, Claims 1, 5, 7, 8 and 12-24

The Office Action rejects claims 1, 5, 7-8 and 12-24 under 35 U.S.C. § 103(a) as being unpatentable over Hunt et al. (U.S. Patent No. 5,764,235) in view of Anupam et al. (U.S. Patent No. 5,862,330). This rejection is respectfully traversed. Because this rejection is essentially the same as in the previous Office Action, this rejection is respectfully traversed for the same reasons stated in the previous response filed June 4, 2004, the remarks of which are hereby incorporated by reference. The following remarks are provided in rebuttal to the Examiner's statements in the Final Office Action beginning on page 6.

The Examiner states:

Hunt discloses sending to the server from the client image control information. The information includes data or information obtained from the client that is useful in determining both the suitable amount of data and/or format for the graphical image files to be sent. The user has a choice as to the amount of graphical image file needed. For example, if images are simply being displayed in a small one-inch by one-inch arrangement, then only a small amount of the graphical image file need to be transmitted. Hunt plainly discloses the operator of the client machine specifying image control information takes into account the screen range. As stated above, it could be one by one inch arrangement (screen size). The arrangement is the screen range. The size of the arrangement (screen size) is specified by the user in the image control information (column 2, lines 34-40, column 3, lines 3-4, 6-10, 18-20, 47=52, column 5, lines 1-5,

column 9, lines 40-42, column 11, lines 5-9, 31-33, 35-37, 40-42, column 12, lines 20-33, 49-51). Therefore, Hunt discloses generating an image file in response to an operator of a client terminal specifying screen range of said terminal, wherein the image file is generated based on image data from the specified screen range.

Applicant respectfully submits that Hunt and Anupam, taken alone or in combination, fail to teach or fairly suggest generating an image file in response to an operator of said client terminal specifying a screen range of said client terminal, wherein the image file is generated based on image data from the specified screen range. The Office Action alleges that Hunt teaches this feature at column 2, lines 34-40; column 3, lines 3-4, 6-10, 18-20, 47-52; column 5, lines 1-5; column 9, lines 40-42; column 11, lines 5-9, 31-33, 35-37, 40-42; and, column 12, lines 20-33, 49-51, which read as follows:

receiving, at the server machine, a request for a graphical image from a client machine, the graphical image being stored on the server machine and having a predetermined total image size; obtaining image control information; determining an appropriate amount of data for the graphical image to be transmitted based on at least the image control information,

(Column 2, lines 34-40)

sending image control information from the client machine to the server machine

(Column 3, lines 3-4)

Preferably, the determined amount is a reduced amount, and the graphical image file received also has a determined format based on at least the image control information.

(Column 3, lines 6-10)

receive the request and the client image control information from the client machine, determine an appropriate amount of data for the graphical image file requested,

(Column 3, lines 18-20)

Another advantage is that a user has a choice as to the amount of a graphical image file needed depending on an intended use for the image. For example, if images are simply being displayed in a small one inch by one inch arrangement, then only a small amount of the graphical image file need be transmitted.

(Column 3, line 47-52)

Each such image is stored on the server 102 as an image file. The client 104 sends a request for an image over a link 106 to the server 102. The server 102 then in turn sends an appropriate amount of data for the corresponding image file to the client 104 over a link 108.

(Column 5, lines 1-6)

As an example, the request would identify the graphical image file desired together with a total image size and a requested quality level.

(Column 9, lines 40-42)

the web server processing 1000 determines 1008 an image format and file size for the requested graphical image file. In effect, the determining 1008 customizes the graphical image file based on criteria such as user's conditions, server's conditions, user's request or author's preference.

(Column 11, line 5-9)

The image customization processing 1100 initially obtains 1102 image control data from the web browser (client image control data).

(Column 11, lines 31-33)

Next, a decision 1106 determines whether the image control data from the web browser includes a user request.

(Column 11, lines 35-37)

If not, the file size for the determined image file is set 1108 to user_size, which indicates that the file size is set by a user's choice or expected choice.

(Column 11, lines 40-42)

When the user intends to use the graphical image file for display on a display device, the format includes a display format suitable for the display device associated with the web browser (e.g., client machine 302), such as RGB, raster, vector and the like. Alternatively, when the user intends to use the graphical image for printing on a printer, such as a laser printer, the format includes a printer format suitable for the printer associated with the web browser (e.g., client machine 302), such as dithered, CMYK, or RTL for plotting.

In any event, following block 1118, the determined image data is retrieved 1120 in accordance with the determined image format and the determined file size. Following block 1120 the image customization processing 1100 is completed and processing then returns to block 1010 of the web server processing 1000.

(Column 12, lines 20-33)

The user preference could be a user selected choice of quality versus size for image files or something that is predicted for the user.

(Column 12, lines 49-51)

Applicant respectfully submits that the Examiner's interpretation of these sections of Hunt is inconsistent with the actual teaching of Hunt. That is Hunt teaches a system where a user requests a graphical image file from the server. The request identifies the graphical image file together with a total image size and a requested quality level (see column 9, lines 38-54). While the total image size of the graphical image file may specify that the image is to be transmitted in a one-inch by one-inch size, the user may also specify that the graphical image file be transmitted in a two-inch by three-inch size, full screen size, page size, poster size or full size. (see Figure 6A) Thus, the graphical image file is the same no matter the size. Additionally, Hunt describes that the user may specify the quality of the file to be sent. That is, Hunt allows the user to specify if the user wants a very high quality image or a very low quality image. However, the graphical image file is the same no matter the quality.

The present invention generates an image file in response to an operator of said client terminal specifying a screen range of said client terminal, wherein the image file is generated based on image data from the specified screen range. In Hunt, there is no image generated based upon the user selection of a portion of the displayed screen on the client terminal. Hunt merely allows a user to select one of a plurality of graphical image files that are previously stored on a server. In selecting one of the previously stored images, the user specifies the total image size to be transmitted and the requested quality of the graphical image file. Hunt does not generate an image file based on the user specifying a portion of the screen displayed on the client terminal.

The Examiner's allegation that the user specifying a total size for the graphical image file to be a one by one inch arrangement (screen size), where the arrangement is the screen range is contrary to the teaching of Hunt. Hunt teaches that if the user wants to display the selected images, which are stored on the server, the user may select one-inch by one-inch files to be transmitted to the user so they may be displayed on the client terminal. However, the one-inch by one-inch graphical image files are not generated at

the client terminal but rather selected from a plurality of graphical image files stored on a server.

In the Final Office Action the Examiner further states:

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce that claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 2.d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, combining Hunt and Anupam would enable new URL's to be displayed in order to display new URL's to other computers in the collaboration session.

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based on hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill in the art at the time the claimed invention was made, and does not include knowledge gleamed only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Applicant respectfully submits that, since Hunt and Anupam, taken alone or in combination, fail to teach or suggest generating an image file in response to an operator of said client terminal specifying a screen range of said client terminal, there is no suggestion in either of the references to modify the references to include such features. That is, there is no teaching or suggestion in Hunt or Anupam that a problem exists for which generating an image file in response to an operator of said client terminal specifying a screen range of said client terminal, wherein the image file is generated based on image data from the specified screen range, is a solution. To the contrary, Hunt only transmits graphical images from a server to a client in response to a client request. Anupam teaches transmitting updated URL information to a collaborative session. Neither of the references even recognizes a need to select a screen range from a client terminal and generate an image based on image data from the specified screen range.

As such, since Hunt and Anupam, taken alone or in combination, fail to teach generating an image file in response to an operator of said client terminal specifying a screen range of said client terminal, one of ordinary skill in the art, being presented only with Hunt and Anupam, and without having a prior knowledge of Applicants' claimed invention, would not have found it obvious to combine and modify Hunt and Anupam to arrive at Applicants' claimed invention. To the contrary, even if one were somehow motivated to combine Hunt and Anupam, and it were somehow possible to combine the systems, the result would not be the invention, as recited in claim 1. The resulting system still would not select a screen range from a client terminal and generate an image based on image data from the specified screen range.

Thus, neither Hunt nor Anupam, either alone or in combination, teach or suggest all of the features in independent claims 1, 5, 7 and 8. At least by virtue of their dependency on claims 1, 5, 7 and 8, the specific features of claims 12-24 are not taught or suggested by Hunt and Anupam, taken alone or in combination. Accordingly, Applicant respectively requests withdrawal of the rejection of claims 1, 5, 7, 8 and 12-24 under 35 U.S.C. § 103(a).

Moreover, in addition to their dependency from independent claims 1, 5 and 8 respectively, the specific features of dependent claims 12-24 are not taught or suggested by Hunt and Anupam either alone or in combination. For example, with regard to claims 12, 17 and 20, the proposed combination of Hunt and Anupam does not teach or suggest where the operator specifies a screen range of said client terminal by manipulating a mouse to define a frame, wherein the frame encloses the screen range. The Office Action alleges that Hunt teaches this feature. As discussed above, Hunt does not select a screen range from a client terminal and generate an image based on image data from the specified screen range. Thus, there would be no need for the Hunt reference to manipulate a mouse to define a frame that would enclose a screen range.

As an additional example, with regard to claims 13, 18 and 21, the combination of Hunt and Anupam does not teach or suggest where the operator specifies a screen range of said client terminal by selecting an application window, wherein a frame of the application window defines the screen range. The Office Action alleges that Hunt teaches this feature. Again, as discussed above, Hunt does not select a screen range from

a client terminal and generate an image based on image data from the specified screen range. Thus, there would be no need for the Hunt reference to specify a screen range of a client terminal by selecting an application window that defines the screen range.

As a further example, with regard to claims 14, 19 and 22, the combination of Hunt and Anupam does not teach or suggest acquiring a device context of a desktop window and generating a desktop window image corresponding to the device context of the desktop window, wherein the screen range is a portion of the desktop window. The Office Action alleges that Hunt teaches this feature. Once again, as discussed above, Hunt does not select a screen range from a client terminal and generate an image based on image data from the specified screen range. Thus, there would be no need for the Hunt reference to acquire a device context of a desktop window and generate a desktop window image corresponding to the device context of the desktop window.

As a final example, with regard to claims 15, 16, 23 and 24 the combination of Hunt and Anupam does not teach or suggest wherein the operator of said client terminal specifies the screen range during a capture mode, as recited in claims 15 and 23 or suspending the capture mode, receiving input from the operator to activate a hidden window image and resuming the capture mode, as recited in claims 16 and 24. The Office Action alleges that Hunt teaches this feature. Once again, as discussed above, Hunt does not select a screen range from a client terminal and generate an image based on image data from the specified screen range. Thus, there would be no need for the Hunt reference to make use of a capture mode to specify the screen range. In fact, the term "capture mode" does not appear in the Hunt reference.

Therefore, in addition to being dependent on independent claims 1, 5, and 8 respectively, dependent claims 12-24 are also distinguishable over Hunt and Anupam by virtue of the specific features recited in these claims. Accordingly, Applicant respectfully requests withdrawal of the rejection of dependent claims 12-24 under 35 U.S.C. § 103(a).

III. Conclusion

It is respectfully urged that the subject application is patentable over the prior art of record and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,

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